

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

MYRNA GREGORIA OCHA-CARRILLO,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 04-4089-CV-C-SOW
	)	
JOHN ASHCROFT, et al.,	)	
	)	
Respondents.	)	

ORDER

Before the Court is Respondents' Renewed Motion to Dismiss, or in the Alternative, for Transfer to the Eighth Circuit (Doc. # 44). This case involves plaintiff Myrna Ochoa-Carrillo's petition for writ of habeas corpus. On February 15, 2006, the Eighth Circuit handed down its opinion in Ochoa-Carrillo's petition for review. Ochoa-Carrillo v. Gonzales, \_\_ F.3d \_\_, Appeal No. 04-2038, slip op. (8<sup>th</sup> Cir. February 15, 2006). In its opinion, the Eighth Circuit addressed this Court's ability to consider a habeas corpus action. The court ruled that "the Western District of Missouri should now transfer the case to this court under the REAL ID Act, Pub. L. 109-13, Div. B, Title I, § 106(c)(2005)." Ochoa-Carrillo, slip op. at 6 n.5. Accordingly, it is hereby

ORDERED that Respondents' Renewed Motion to Dismiss, or in the Alternative, for Transfer to the Eighth Circuit (Doc. # 44) is granted. This case is transferred to the United States Court of Appeals for the Eighth Circuit pursuant to the REAL ID Act, Pub. L. 109-13, Div. B., Title I, § 106(c)(2005). It is further

ORDERED that Docs. # 12, 25, and 35 are dismissed as moot.

/s/Scott O. Wright  
SCOTT O. WRIGHT  
Senior United States District Judge

Dated: 2-15-06